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FACSIMILE TRANSMITTAL SHEET

TO: Examiner Fangemonique A. Smith – Group 3736

FIRM/COMPANY: U.S. Patent and Trademark Office
Mail Stop Amendment

FACSIMILE NUMBER: 571.273.8300

**CONFIRMATION
TELEPHONE:**

FROM: Edward J. Lynch

DIRECT DIAL: 415.957.3067

DATE: December 20, 2006

USER NUMBER: 5119

FILE NUMBER: Attorney Docket No. R0367-02501;
Serial No. 10/729,086

TOTAL # OF PAGES: 17
(INCLUDING COVERSHEET)

MESSAGE: Please see the attached Amendment and Response to Office
Action.

NOTE: Original will not follow

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of

Burbank et al.

Examiner: Fangemonique A. Smith

Group Art Unit: 3736

For: **TISSUE ACCESSING AND
ANCHORING DEVICE AND METHOD**

Serial No.: 10/729,086

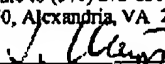
Filed: December 5, 2003

Atty. Docket. No.: R0367-02501

**AMENDMENT AND RESPONSE
TO OFFICE ACTION MAILED
09/25/2006**

CERTIFICATE OF MAILING/FACSIMILE PURSUANT TO 37 C.F.R. §1.8

I hereby certify that these papers are being sent by facsimile to (571) 273-8300, and addressed to Examiner Fangemonique A. Smith, Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 20, 2006, in San Francisco, CA.


Sirpa Kirjonen

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

- Transmitted herewith for filing in the above-identified patent application is an Amendment and Response to Office Action Mailed 09/25/2006.
- Claim Fee Calculation
☒ No additional claim fee is required.
☐ Amendment increases number of claims or multiple dependencies.

Additional Claim Fee Calculation

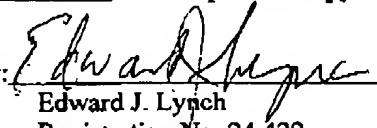
Description	Fee Code	Claims	Extra	Rate	Fee
Independent Claims	2201	5-7=	0 x	\$100=	\$0
Total Claims	2202	41-65=	0 x	\$25=	\$0

Fees Due.....\$0

- Payment of Fees

☐ Enclosed is a check for the total fees due in the amount of ____.

☒ The Commissioner is authorized to charge any fees due and to credit any overpayment of fees set forth under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0367-02501. A duplicate copy of this document is enclosed for fee processing.

By: 
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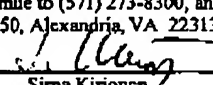
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Alexandria, VA 22313-1450

Dear Sir:

In response to the non-final Office Action mailed September 25, 2006, please amend this application as indicated below: